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NOTICE OF ALLOWANCE AND FEE(S) DUE

65913

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09/17/2009

NXP, B.V.
NXP INTELLECTUAL PROPERTY & LICENSING
M/S41-SJ
1109 MCKAY DRIVE
SAN JOSE, CA 95131

EXAMINER

NGHEM, MICHAEL P

ART UNIT

PAPER NUMBER

2863

DATE MAILED: 09/17/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,172	02/03/2006	Hendrik Visser	US03 0276 U'S2	9638

TITLE OF INVENTION: CALIBRATION OF TESTER AND TESTBOARD BY GOLDEN SAMPLE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	12/17/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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65913 7590 09/17/2009

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/567,172 02/03/2006

Hendrik Visser

U'S03 0276 U'S2

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TITLE OF INVENTION: CALIBRATION OF TESTER AND TESTBOARD BY GOLDEN SAMPLE

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	12/17/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
NGHIEM, MICHAEL P	2863	702-085000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/567,172

Examiner

MICHAEL P. NGHIEM

Applicant(s)

VISSER ET AL.

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Communications filed on 08 July 2009, 02 March 2009, and 10 January 2007.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Petition

The petition under 37 CFR 1.137(b), filed on March 2, 2009, has been granted on July 6, 2009.

Election/Restrictions

The restriction requirement filed on April 5, 2007 has been withdrawn. Examiner maintains position filed on October 10, 2006 that a restriction of the claims is not required.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by Mr. Peter Zawilski during a telephone interview on September 8, 2009.

The application has been amended as follows:

In the drawings:

Fig. 1, insert a depiction of a CPU and a depiction of a memory device (see attached proposed drawing).

Replace Claim 1 with the following:

-- 1. (Currently amended) In a test apparatus for measuring the input and output characteristics of an amplifier, a method for determining test program parameters, comprising:

calculating input loss from the test apparatus power source to the input of the amplifier, defining an input loss correction factor;

calculating output loss from the amplifier output to the power meter of the test apparatus, defining an output loss correction factor;

using the input loss correction factor to determine a real input power level;

using the output loss correction factor to determine a real output power level; and

in response to the determined real input power and real output power, performing at least one of

correcting an input power level and applying the corrected input power level to the amplifier, and

correcting an output power level and outputting the output power level to a user for analyzing the amplifier. --

Replace Claim 2 with the following:

-- 2. (Currently amended) The method of claim 1 further comprising,

calibrating radio frequency (RF) tests as a function of the input loss correction factor and the output loss correction factor and using the calibrated tests when applying the corrected input power level to the amplifier,

wherein the RF tests include tests of at least one of the following: input power, output power, gain, efficiency, and detector error, linearity, and noise figure. --

Replace Claim 3 with the following:

-- 3. (Currently amended) A method for inserting calibrating factors into an automatic test equipment (ATE) program to analyze a circuit, the method comprising:

- a) obtaining parameters from at least one golden sample, wherein the parameters include lab gain, lab input power, and lab output power;
- b) programming parameters from the golden sample into ATE test program;
- c) obtaining measurements on ATE for the golden sample, categorize the measurements into a lookup table;
- d) calculating an uncorrected gain at small input signal for at least one small input signal value;
- e) determining a first sum of a first input loss and a first output loss from the first sum determine a first gain change;
- f) defining a first initial output loss;
- g) calculating an initial input loss from the difference of the first gain change and the first initial output loss;

h) setting power level of the ATE to sum of input power lab and initial input loss and applying a test signal to the circuit at the set power level;

i) measuring output power on the ATE wherein output power corresponds to an input power;

j) calculating a corrected output power wherein the corrected output power is the sum of output power on the ATE and initial output loss, and outputting the corrected output power to the circuit to analyze the circuit. --

Replace Claim 5 with the following:

-- 5. (Currently amended) A system for calibrating test program parameters for measuring the input and out characteristics of an amplifier, the system comprising:

means for calculating input loss from the test apparatus power source to the input of the amplifier, defining an input loss correction factor;

means for calculating output loss from the amplifier output to the power meter of the test apparatus, defining an output loss correction factor;

means for using the input loss correction factor to determine a real input power level;

means for using the output loss correction factor to determine a real output power level; and

means, responsive to the determined real input power and real output power, for performing at least one of correcting an input power level and applying the corrected input power level to the amplifier, and

correcting an output power level and outputting the output power level to a user for analyzing the amplifier. --

Replace Claim 6 with the following:

-- 6. (Currently amended) The system of claim 5 further comprising:

means for calibrating radio frequency (RF) tests using the input loss correction factor and the output loss correction factor and for using the calibrated tests to apply a test input to the amplifier, wherein the RF tests include tests of at least one of the following: output power, gain, efficiency, detector error, linearity, and noise figure. --

Replace Claim 7 with the following:

-- 7. (Currently amended) Used in the measuring of input and output characteristics of an amplifier, machine readable medium, comprising:

a plurality of computer-executable instructions, which when executed by a computer, perform the steps of

calculating input loss from the test apparatus power source to the input of the amplifier, defining an input loss correction factor;

calculating output loss from the amplifier output to the power meter of the test apparatus, defining an output loss correction factor;

using the input loss correction factor to determine a real input power level;

using the output loss correction factor to determine a real output power level;

calibrating radio frequency (RF) tests as a function of the input loss correction factor and the output loss correction factor, wherein the RF tests include tests of at least one of the following: output power, gain, efficiency, and detector error, linearity, and noise figure;

indicating to the user the calibrating of RF tests is complete; and
using the calibrated tests to apply test inputs to the amplifier. --

Replace Claim 8 with the following:

-- 8. (Currently amended) Used in the measuring of input and output characteristics of an amplifier, machine readable medium, comprising:

a plurality of computer-executable instructions, including steps for inserting calibrating factors into an automatic test equipment (ATE) program for testing the amplifier, which when executed by a computer, perform the steps of:

- a) obtaining parameters from at least one golden sample, wherein the parameters include lab gain, lab input power, and lab output power;
- b) programming parameters from the golden sample into ATE test program;
- c) obtaining measurements on the ATE for the golden sample and categorizing the measurements into a lookup table;
- d) calculating an uncorrected gain at small input signal for at least one small input signal value;
- e) determining a first sum of a first input loss and a first output loss from the first sum determine a first gain change;

- f) defining a first initial output loss;
- g) calculating an initial input loss from the difference of the first gain change and the first initial output loss;
- h) setting the power level of the ATE to the sum of the lab input power and initial input loss;
- i) measuring output power on the ATE wherein output power corresponds to an input power;
- j) calculating a corrected output power, wherein the corrected output power is the sum of output power on the ATE and initial output loss; and
- k) determining a degree of correlation between the corrected output power with the lab output power, and using the degree of correlation to
~~insert determine corrected values for insertion~~ insert into the ATE test program for input power and output power, and further applying test inputs to the amplifier via the ATE test program with the inserted corrected values or
define another initial output loss and further using the defined other initial output loss to perform steps g) through j) again. --

Reasons For Allowance

The combination as claimed wherein a method and system for determining/calibrating test program parameters comprising using input loss correction factor to determine a real input power level and using output loss correction factor to

determine a real output power level (claims 1, 5, 7) or calculating a corrected output power wherein the corrected output power is the sum of output power on the ATE and initial output loss (claims 3, 8) is not disclosed, suggested, or made obvious by the prior art of record.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P Nghiem whose telephone number is (571) 272-2277. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Dunn can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Michael P. Nghiem/

Primary Examiner, GAU 2863

September 8, 2009